



Shimshon Wexler <swexleresq@gmail.com>

Katz v. DKNY [IWOV-HR125B.FID1121099]

Mashberg, Gregg M. <GMashberg@proskauer.com>

Fri, May 9, 2014 at 3:08 PM

To: "Daniel V. Gsovski" <DGsovski@herzfeld-rubin.com>

Cc: "Howard L. Wexler" <HWexler@herzfeld-rubin.com>, "swexleresq@gmail.com" <swexleresq@gmail.com>, "Sims, Charles S." <CSims@proskauer.com>, "Wexler_ Shimshon_ Katz_ Yehuda individually and on behalf of a class v_ The Donna Karan Company_ LLC_ The Donna Karan Company Store_ LLC_ Donna Karan International_ Inc_ 91485_0005_ Correspondence_Email <{F1121099}.HR125B@hr125b-wcs01.herzfeld-rubin.com>" <{F1121099}.HR125B@hr125b-wcs01.herzfeld-rubin.com>

Daniel,

We consent to your corrective filing.

Sincerely,

Gregg M. Mashberg
Proskauer Rose LLP
212.969.3450

On May 9, 2014, at 11:13 AM, "Daniel V. Gsovski" <DGsovski@herzfeld-rubin.com> wrote:

Dear Mr. Mashberg:

This confirms yesterday's voicemail request for your consent to refiling our amended complaint in the above matter.

As you are aware, the filing was timely made on Tuesday, per my stipulation with Chuck Sims so ordered by the Court. However, technical errors in checking boxes in the filing process require that it be repeated.

The ECF office advises that we must have either a Court order or your consent to such an "out of time" filing. If there is no response to this request by Monday, May 12, we will apply directly to Judge Crotty for appropriate permission to make the filing, but I am sure we both would rather not have to involve the Court on such a matter.

I directed this request to you as Chuck's assistant advised that you were covering this matter while he is on vacation. If someone else is the proper addressee of this request, kindly forward it appropriately.

Very Truly Yours,

Daniel V. Gsovski

Herzfeld & Rubin, P.C.

125 Broad Street

New York, New York 10004

dgsovski@herzfeld-rubin.com

Telephone: (212) 471-8512

Mobile: (917) 640-6194

Fax: (212) 344-3333

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